

**REPORT OF THE
JOINT SUBCOMMITTEE STUDYING**

Creation of a Northern Virginia Regional Transportation Authority

**TO THE GOVERNOR AND
THE GENERAL ASSEMBLY OF VIRGINIA**



SENATE DOCUMENT NO. 26

**COMMONWEALTH OF VIRGINIA
RICHMOND
2002**

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Report of the Joint Subcommittee to Study Creation of a Northern Virginia Regional Transportation Authority

I. INTRODUCTION AND BACKGROUND.

Observing that Northern Virginia's existing transportation infrastructure was inadequate to sustain the region's economic development and quality of life, and that improvement of this infrastructure was hampered by political, jurisdictional and funding gridlock, the 2000 Regular Session of the General Assembly, through the passage of Senate Joint Resolution No. 121 (SJR 121, see Appendix A), established a joint subcommittee to study creation of a Northern Virginia regional transportation authority. The study panel was to determine the "purpose, needs, benefit, authority, composition, responsibility, and funding" of such an authority, and specifically consider:

- The identification of needs and possible solutions;
- The privatization of solutions;
- The acceptance, raising, and disbursement of funds;
- The ability to sell bonds;
- The ability to buy, sell, hold, lease, and condemn property; and
- The design, construction, and maintenance of transportation infrastructure or ability to cause the design, construction, and maintenance of transportation infrastructure.

II. JOINT SUBCOMMITTEE ACTIVITIES.

During 2000, the joint subcommittee held five meetings, at the very first of which there was substantial agreement that the panel's work could not be completed in one year. Over the course of these meetings, the members were briefed on and discussed (i) the general transportation needs of Northern Virginia, (ii) the development of the "2020 Plan" intended to address those needs, (iii) the likely inadequacy of reasonably foreseeable revenues to carry out the "2020 Plan" or possibly even major portions of it, and (iv) the possibility of creating some kind of regional transportation authority that would bring increased transportation resources and better focused management of those resources to bear in an effort to address Northern Virginia's transportation needs. The panel examined various existing transportation authorities, particularly the one serving the San Diego metropolitan area, in seeking models or elements that might prove useful in creating a Northern Virginia Transportation Authority.

However, by December of 2000, these deliberations had not generated sufficient consensus to enable the joint subcommittee to endorse, as a body, any specific legislative proposals for consideration by the 2001 Session of the General Assembly, except for legislation

to continue the study for another year. The panel did, however, recognize that individual members of the General Assembly might offer their own proposals to the legislature.

During the 2001 Regular Session of the General Assembly, two such proposals were considered: House Bill No. 2606 (offered by Delegate McClure) and Senate Bill No. 1355 (offered by Senator Mims). The two bills contained many of the same or at least very similar elements. In the course of their consideration by the legislature, both bills underwent considerable revision. In the end, House Bill No. 2606 passed, while Senate Bill No. 1355 was defeated on the floor of the House of Delegates. (Although the vote was 64 to 36 in favor of the bill, the Speaker ruled that the bill failed to pass, because the legislation named specific localities, making it a local bill whose passage required a two-thirds majority of those elected to the body (67) to pass.)

It is important to note that Delegate McClure's bill, like Senator Mims's, was not -- and was not intended to be -- complete in itself. It provided for some of the major structural components that a Northern Virginia Transportation Authority would require, but not all of them. This was not an oversight, but rather part of a legislative strategy, embodied in both bills, that would get the structural "shell" of an authority "on the books," and leave it to the 2002 Session of the legislature, supported by further advice and recommendations from the joint subcommittee (specifically provided for in both bills), to complete the job of creation. HB 1355 provided that the Northern Virginia Transportation Authority would, subject to action by the 2002 Session, become operational on July 1, 2002. The Authority, itself, would then submit further legislative recommendations to the 2003 Session, to provide for the merger and consolidation of the Authority with Northern Virginia Transportation Commission no later than July 1, 2003.

Here are some of the major provisions of HB 1355:

1. It created an entity known as the Northern Virginia Transportation Authority (effective July 1, 2002).
2. It provided that the Authority would embrace four counties (Arlington, Fairfax, Loudoun, and Prince William) and five cities (Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park).
3. It provided that the Authority would consist of 17 to 19 individuals:
 - The nine representatives of the local governments embraced by the Authority and the two members of the General Assembly who serve on the National Capital Region Transportation Planning Board (TPB);
 - The individual appointed by the Governor to represent Northern Virginia on the Commonwealth Transportation Board (CTB) and those members of the CTB who are designated as urban at-large members and live in any locality embraced by the Authority (one to three persons). (The CTB has two urban at-large members, each

of whom must be a resident of a standard metropolitan statistical area, of which Virginia has eight -- both or neither could possibly live in Northern Virginia);

- Three persons, appointed by the Governor (no provision was made for the length of their term or the number of terms they may serve) who are residents of localities embraced by the Authority and have "significant experience in transportation planning, finance, engineering, construction, or management" (three persons); and
 - Two non-voting ex officio members: the Director of the Virginia Department of Rail and Public Transportation (VDRPT) and the regional administrator of the Virginia Department of Transportation's (VDOT) Northern Virginia Highway Construction District (two persons).
4. The Northern Virginia representative on the CTB would serve as Chairman, with a Vice Chairman selected annually by the Authority's nine representatives of local governments from among their number.
 5. The Authority was allowed to hire a chief executive officer and "such staff as it shall determine to be necessary." Additionally, VDRPT and VDOT are required to "make their employees available to assist the Authority, upon request."
 6. Alternate members of the TPB might act as alternates for TPB members who are members of the Authority, and could vote in that member's absence.
 7. Administrative expenses of the Authority were to be allocated among its constituent local governments on the basis of population. At one point in the bill's evolution, specific provision had been made for a method of making this determination, but this element did not survive to the bill's final passage.
 8. Members of the Authority could be paid for their services, but the amount of this payment (if any) could be no more than that allowed for members of the General Assembly engaged in legislative business between sessions (\$200 per day).
 9. The Authority was required to have at least two advisory committees:
 - A technical advisory committee composed of persons who live in localities embraced by the Authority and have experience in transportation planning, finance, engineering, construction and management; and
 - A planning coordination advisory committee, including at least one elected official from Manassas Park, Dumfries, Herndon, Leesburg, and Vienna; and

10. The Authority could "issue such bonds and other evidences of debt as have been or shall be authorized by law," but could not impose a motor fuels tax, sales tax, or income tax.
11. The Authority was vested with all powers and functions granted to transportation districts under the Transportation District Act of 1964.
12. In addition, the Authority was granted, subject to the statutory authority of the CTB, VDOT, and VDRPT, broad responsibilities for:
13. Overseeing of mass transit and highway congestion mitigation programs, long-range regional planning (both constrained and unconstrained);
14. Recommending regional transportation priorities to state and federal agencies, developing, in coordination with local governments, regional air quality and other environmental priorities;
15. Recommending priority regional transportation projects to be paid for with state or federal funds;
16. Allocating funds made available therefor by the General Assembly to priority regional transportation projects and "overseeing such projects, subject to the statutory authority of the Commonwealth Transportation Board";
17. Recommending use or changes in amounts of tolls within the Northern Virginia Highway Construction District;
18. Exercising general oversight, "subject to the statutory authority of the Commonwealth Transportation Board," of multijurisdictional transportation operational issues (specifically including intelligent transportation systems, signalization, and preparations for and responses to emergencies); and
19. Serving, generally, as a transportation advocate for Northern Virginia before state and federal agencies.

At its first meeting in 2001, the members quickly agreed, for a variety of reasons, that they would use Senator Mim's Bill (SB 1355) as the basis for their recommendations to the legislature, rather than Delegate McClure's Bill (HB 2606). The balance of this meeting and three succeeding meetings were taken up with preparing and refining draft legislation intended to replace that passed by the 2001 Session of the General Assembly. Using a "decision tree" prepared by staff as a guide to their discussions, the joint subcommittee considered in considerable detail:

- The geographic extent of the Authority;

- The composition and selection of the Authority's governing body;
- The internal organization of the Authority;
- The relationship of the Authority to local governments;
- The Authority's relationship to the Virginia Department of Transportation (VDOT), the Virginia Department of Rail and Public Transportation (VDRPT), and the Commonwealth Transportation Board (CTB);
- The modal responsibilities of the Authority;
- The powers/responsibilities of the Authority *vis-a-vis* transportation facilities; and
- The financial resources/powers of the Authority.

The members also received a detailed briefing by the State Treasurer on the impact that vesting the Authority with the power to issue bonds might have on the debt capacity of local governments and the Commonwealth. After each meeting, staff incorporated the day's decisions in an ever-evolving draft bill whose review, revision, and approval became the first order of business for the following meeting. Following the last meeting, the agreed text was put in final form by staff, posted on the Internet, and became the subject of a public hearing. Though nearly three hours of testimony was presented at the hearing and staff received and circulated to the members 43 e-mail messages and 42 postcards commenting on the proposed draft, no proposal was made by any of the subcommittee members to make further revisions to the text prior to its introduction by Senator Barry as Senate Bill No. 576 (SB 576).

III. LEGISLATIVE RECOMMENDATIONS.

The proposed legislation (SB 576) would replace the Northern Virginia Transportation Authority that was created by the 2001 Regular Session of the General Assembly, to begin operations on July 1, 2002. While the Authority provided for in the joint subcommittee's draft legislation bore some resemblance to the one created in 2001, there were more than a few differences, some of which were substantial. In brief, this is what the draft legislation would do:

1. Create a Northern Virginia Transportation Authority that would include Arlington, Fairfax, Loudoun, and Prince William Counties, and the Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park;
2. Require the Authority to prepare a regional transportation plan for Planning District Eight, including transportation improvements of regional significance;
3. Allow the Authority to construct or acquire the transportation facilities specified in this regional transportation plan, and either operate them itself, or enter into contracts with private entities to operate them;

4. Allow the Authority to make agreements with local governments; other transportation commissions, districts, or authorities; and state or federal governmental entities to provide transit facilities and service connecting the territory covered by the Authority with adjoining localities;
5. Grant the Authority the power to acquire land in connection with any transportation service, including condemnation power;
6. Require the Authority to prepare a plan for mass transportation services and enter into contracts to carry out that plan;
7. Make the Authority responsible for long-range transportation planning for regional transportation projects in Northern Virginia and set regional transportation policies and priorities for these projects;
8. Allow the Authority to issue bonds; and
9. Grant the Authority, subject to the statutory powers of the CTB, responsibilities in several areas:
 - Oversight of regional programs of VDOT and VDRPT involving mass transit or congestion mitigation;
 - Long-range regional planning, both financially constrained and unconstrained;
 - Recommending regional transportation priorities to state and federal agencies;
 - Developing regional priorities and policies affecting air quality and general environmental issues;
 - Allocating funds received from the General Assembly or the CTB to priority regional transportation projects and directly overseeing such projects;
 - Recommending to the CTB priority regional transportation projects for federal and state funding and/or changes in tolls charged in Northern Virginia;
 - Managing regional transportation operational issues;
 - Serving as an advocate for the transportation needs of Northern Virginia before the state and federal governments;
 - Applying to and negotiating with the federal government for grants; and
 - Acting as a "responsible public entity" under the Public-Private Transportation Act.

Structurally, the Authority would consist of 20 members. as follows:

- Nine members of local governing bodies (one from each locality);
- Three members of the House of Delegates (from Northern Virginia);
- Two members of the Senate (from Northern Virginia);
- Four citizen members appointed by the Governor for four year terms (including all members of the Commonwealth Transportation Board from Northern Virginia);
- The Director of the Virginia Department of Rail and Public Transportation, or his designee; and
- The VDOT's District Administrator for Northern Virginia or his designee.

The person who represents Northern Virginia on the Commonwealth Transportation Board would serve also as Chairman of the Authority. The Authority would hire a chief executive officer and other staff as it see fit. Finally, the draft legislation differed most from the legislation enacted by the 2001 Session of the General Assembly in the way it proposed to have the Authority make decisions: All decisions of the Authority must have the affirmative vote of two-thirds of the members of the Authority present and voting, and that must include two-thirds of the representatives of the counties and cities within the Authority who are present and voting and those counties and cities must include at least two-thirds of the population embraced by the Authority.

A copy of this legislation is attached as Appendix B.

Respectfully submitted,

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IV. APPENDICES.

Appendix A:

Senate Joint Resolution No. 121 (2000)

Appendix B:

Senate Bill No. 576

APPENDIX A

SENATE JOINT RESOLUTION NO. 121

Establishing a joint subcommittee to study creation of a Northern Virginia Regional Transportation Authority.

Agreed to by the Senate, March 10, 2000

Agreed to by the House of Delegates, March 9, 2000

WHEREAS, a transportation infrastructure that contributes to the regional economic development and quality of life must be capable of moving people and goods at a reasonable cost, in a reasonable period of time, and at an appropriate level of safety;
and

WHEREAS, the Northern Virginia regional transportation infrastructure is inadequate for the region's economic development and quality of life; and

WHEREAS, the improvement of the region's transportation infrastructure is hampered by political, jurisdictional, and funding gridlock; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That a joint subcommittee be established to study creation of a Northern Virginia Regional Transportation Authority. The joint subcommittee shall be composed of 18 members, which shall include 10 legislative members and 8 citizen members as follows: four members of the Senate to be appointed by the Senate Committee on Privileges and Elections; six members of the House of Delegates to be appointed by the Speaker of the House, in accordance with the principles of Rule 16 of the Rules of the House of Delegates; three local elected officials, who shall represent Fairfax County, Arlington County, and Loudoun County, to be appointed by the Senate Committee on Privileges and Elections, upon the recommendation of the respective governing body of the locality; three local elected officials, who shall represent Stafford County, Prince William County, and the City of Alexandria, to be appointed by the Speaker of the House, upon the recommendation of the respective governing body of the locality; and two residents of Northern Virginia, of whom one shall be appointed by the Senate Committee on Privileges and Elections, and one of whom shall be appointed by the Speaker of the House of Delegates.

In conducting its study, the joint subcommittee shall determine the purpose, needs, benefits, authority, composition, responsibility, and funding of a Northern Virginia Regional Transportation Authority. Among the powers and responsibilities of the Northern Virginia Regional Transportation Authority to be considered shall be:

1. The identification of needs and possible solutions;

2. The privatization of solutions;
3. The acceptance, raising, and disbursement of funds;
4. The ability to sell bonds;
5. The ability to buy, sell, hold, lease, and condemn property; and
6. The design, construction, and maintenance of transportation infrastructure or ability to cause the design, construction, and maintenance of transportation infrastructure.

Transportation infrastructure solutions for the movement of people and goods shall consist of all means and modes of transportation. The study shall consider the appropriate relationship of the Northern Virginia Regional Transportation Authority to the Commonwealth of Virginia and its agencies, Maryland and its agencies, the District of Columbia and its agencies, the federal government and its agencies, and other public regional entities and authorities.

The direct costs of this study shall not exceed \$12,450.

All agencies of the Commonwealth shall provide assistance to the joint subcommittee, upon request.

The joint subcommittee shall complete its work in time to submit its findings and recommendations to the Governor and the 2001 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may withhold expenditures or delay the period for the conduct of the study.

APPENDIX B

SENATE BILL NO. 576

Offered January 15, 2002

A BILL to amend the Code of Virginia by adding in Title 15.2 a chapter numbered 48.2, consisting of sections numbered 15.2-4829 through 15.2-4840, and to repeal Chapter 610 of the Acts of Assembly of 2001, relating to the Northern Virginia Transportation Authority.

Patrons-- Barry, Byrne, Colgan, Howell, Potts, Puller, Saslaw, Ticer and Whipple;
Delegates: Amundson, Brink, Callahan,
Moran, Parrish, Reese, Rollison, Scott and Watts

Referred to Committee on Local Government

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 15.2 a chapter numbered 48.2, consisting of sections numbered
15.2-4829 through 15.2-4840, as follows:

CHAPTER 48.2.
NORTHERN VIRGINIA TRANSPORTATION AUTHORITY.

§ 15.2-4829. Short title.

This chapter shall be known and may be cited as the Northern Virginia Transportation Authority Act.

§ 15.2-4830. Authority created.

There is hereby created a political subdivision of the Commonwealth known as the Northern Virginia Transportation Authority, hereinafter known as "the Authority."

In addition to such other powers vested in the Authority by this chapter, the Authority shall have the following powers and functions:

1. The Authority shall prepare a regional transportation plan for Planning District Eight, to include, but not necessarily be limited to, transportation improvements of regional significance, and those improvements necessary or incidental thereto, and shall from time to time revise and amend the plan. The provisions of Article 7 (§§ 15.2-4527 and 15.2-4528) of Chapter 45 of this title shall apply, mutatis mutandis, to preparation of such transportation plan.

2. *The Authority may, when a transportation plan is adopted according to subdivision 1, construct or acquire, by purchase, lease, contract, or otherwise the transportation facilities specified in such transportation plan.*

3. *The Authority may enter into agreements or leases with private entities for the operation of its facilities, or may operate such facilities itself.*

4. *The Authority may enter into contracts or agreements with the counties and cities embraced by the Authority or with other transportation commissions of transportation districts adjoining any county or city embraced by the Authority, any transportation authority or any state or federal governmental entity to provide, or cause to be provided, transit facilities and service to such counties and cities, or to provide transit facilities and other modes of transportation between any county or city embraced by the Authority and any adjoining transportation district, county, or city. Such contracts or agreements, together with any agreements or leases for the operation of such facilities, may be used by the Authority to finance the construction and operation of transportation facilities and such contracts, agreements or leases shall inure to the benefit of any creditor of the Authority.*

Notwithstanding the above, however, the Authority shall not have the power to regulate services provided by taxicabs, either within municipalities or across municipal boundaries, which regulation is expressly reserved to the municipalities within which taxicabs operate.

5. *Notwithstanding any other provision of law to the contrary the Authority may:*

a. Acquire land or any interest therein by purchase, lease, gift, condemnation or otherwise and provide transportation facilities thereon for use in connection with any transportation service;

b. Acquire land or any interest therein by purchase, lease, gift, condemnation or otherwise in advance of need for sale or contribution to an agency, for use by that agency in connection with an adopted mass transit plan;

c. In accordance with the terms of any grant from or loan by the United States of America or the Commonwealth, or any agency or instrumentality thereof, or when necessary to preserve essential transportation service, acquire transit facilities or any carrier subject to the jurisdiction of the Washington Metropolitan Area Transit Commission, by acquisition of the capital stock or transit facilities and other assets of any such carrier and shall provide for the performance of transportation by any such carrier or with such transit facilities by contract or lease. However, such contract or lease shall be for a term of no more than one year, renewable for additional terms of similar duration, and, in order to assure acceptable fare levels, may provide for financial assistance by purchase of service, operating subsidies, or otherwise. No such service will be rendered that will adversely affect transit service rendered by the transit facilities owned or controlled by any such agency or any existing private transit or transportation company.

When notified by any such agency that it is authorized to perform or cause to be performed transportation services with motor vehicle facilities, the Authority, upon request by such agency, shall transfer such capital stock or transit facilities to such agency at a price to be agreed upon; and

d. Prepare a plan for mass transportation services with persons, cities, counties, agencies, authorities, or transportation commissions and may further contract with any such person or other entity to provide necessary facilities, equipment, operations and maintenance, access, and insurance pursuant to such plan.

§ 15.2-4831. Counties and cities embraced by the Authority.

The Authority shall embrace the Counties of Arlington, Fairfax, Loudoun, and Prince William, and the Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park.

§ 15.2-4832. Composition of Authority; Chairman and Vice-Chairman.

The Authority shall consist of twenty members as follows:

The chief elected officer of the governing body of each county and city embraced by the Authority or, in the discretion of the chief elected officer, his designee, who shall be a current elected officer of such governing body;

Three members of the House of Delegates who reside in different counties or cities embraced by the Authority, appointed by the Speaker of the House, to the extent practicable, from the membership of the House Committee on Appropriations, the House Committee on Finance, and the House Committee on Transportation;

Two members of the Senate who reside in different counties or cities embraced by the Authority, appointed by the Senate Committee on Privileges and Elections, to the extent practicable, from the membership of the Senate Committee on Finance and the Senate Committee on Transportation; and

Four citizens who reside in counties and cities embraced by the Authority, appointed by the Governor. Such gubernatorial appointments shall include all members of the Commonwealth Transportation Board who reside in counties and cities embraced by the Authority. The remaining gubernatorial appointments shall be persons who have significant experience in transportation planning, finance, engineering, construction, or management and shall be residents of counties and cities embraced by the Authority, but no gubernatorial appointee who is not a member of the Commonwealth Transportation Board shall be a resident of the same county or city as any other gubernatorial appointee to the Authority. Except for appointees who are members of the Commonwealth Transportation Board, gubernatorial appointees shall (i) serve for terms of four years, except that initial appointments shall be for staggered terms such that no two appointees' terms shall expire in the same year and (ii) be removable by the Governor at his pleasure.

In addition, the following persons shall serve as nonvoting members of the Authority: the Director of the Virginia Department of Rail and Public Transportation, or his designee, and the Virginia Department of Transportation's District Administrator of the Northern Virginia Highway Construction District, or his designee.

The member of the Commonwealth Transportation Board appointed to represent Northern Virginia shall be chairman.

A representative of a component county or city, chosen annually by the nine representatives of component counties and cities, shall be vice-chairman.

§ 15.2-4833. Staff.

The Authority shall employ a chief executive officer and such staff as it shall determine to be necessary to carry out its duties and responsibilities under this chapter. No such person shall contemporaneously serve as a member of the Authority. The Virginia Department of Transportation and the Virginia Department of Rail and Public Transportation shall make their employees available to assist the Authority, upon request.

§ 15.2-4834. Decisions of Authority.

A majority of the Authority, which majority shall include at least a majority of the representatives of the counties and cities embraced by the Authority, shall constitute a quorum. Decisions of the Authority shall require a quorum and shall be in accordance with voting procedures established by the Authority. In all cases, decisions of the Authority shall require the affirmative vote of two-thirds of the members of the Authority present and voting, and two-thirds of the representatives of the counties and cities embraced by the Authority who are present and voting and whose counties and cities include at least two-thirds of the population embraced by the Authority. The population of counties and cities embraced by the Authority shall be the population as determined by the most recently preceding decennial census, except that on July 1 of the fifth year following such census, the population of each county and city shall be adjusted, based on population projections made by the Weldon Cooper Center for Public Service of the University of Virginia.

§ 15.2-4835. Allocation of certain Authority expenses among component counties and cities.

The administrative expenses of the Authority, as provided in an annual budget adopted by the Authority, to the extent funds for such expenses are not provided from other sources, shall be allocated among the component counties and cities on the basis of the relative population, as determined pursuant to § 15.2-4834. Such budget shall be limited solely to the administrative expenses of the Authority and shall not include any funds for construction or acquisition of transportation facilities and/or the performing of any transportation service.

§ 15.2-4836. Payment to members of Authority.

The members of the Authority may be paid for their services a per diem in either (i) the amount provided in the general appropriations act for members of the General Assembly engaged in legislative business between sessions or (ii) a lesser amount as determined by the Authority.

§ 15.2-4837. Formation of advisory committees.

The Authority shall have a technical advisory committee, consisting of individuals who reside or are employed in counties and cities embraced by the Authority and have experience in transportation planning, finance, engineering, construction, or management. The Authority also shall have a planning coordination advisory committee, which shall include, but not be limited to, at least one elected official from each town that is located in any county embraced by the Authority and receives street maintenance payments under § 33.1-41.1. The Authority may, in its discretion, form additional advisory committees.

§ 15.2-4838. Responsibilities of Authority for long-range transportation planning.

The Authority shall be responsible for long-range transportation planning for regional transportation projects in Northern Virginia. In carrying out this responsibility, the Authority shall, on the basis of a regional consensus, whenever possible, set regional transportation policies and priorities for regional transportation projects.

§ 15.2-4839. Authority to issue bonds.

The Authority may issue bonds and other evidences of debt as may be authorized by law. The provisions of Article 5 (§ 15.2-4519 et seq.) of Chapter 45 of this title shall apply, mutatis mutandis, to the issuance of such bonds or other debt.

§ 15.2-4840. Other duties and responsibilities of Authority.

In addition to other powers herein granted, the Authority shall have the following duties and responsibilities:

- 1. General oversight, subject to the statutory authority of the Commonwealth Transportation Board, of regional programs of the Virginia Department of Transportation and/or the Virginia Department of Rail and Public Transportation involving mass transit or congestion mitigation, including, but not necessarily limited to, car-pooling, van-pooling, and ride-sharing;*

- 2. Long-range regional planning, both financially constrained and unconstrained;*

- 3. Recommending to state and federal agencies regional transportation priorities, including public-private transportation projects, and funding allocations;*

4. *Developing, in coordination with affected counties and cities, regional priorities and policies affecting air quality and general environmental issues;*

5. *Allocating to priority regional transportation projects any funds made available to the Authority by the General Assembly or the Commonwealth Transportation Board and directly overseeing such projects, subject to the authority of the Commonwealth Transportation Board and the Commonwealth Transportation Commissioner;*

6. *Recommending to the Commonwealth Transportation Board priority regional transportation projects for receipt of federal and state funds, including but not limited to funds allocated to the Northern Virginia Highway Construction District;*

7. *Recommending to the Commonwealth Transportation Board use and/or changes in use of tolls for facilities in the Northern Virginia Highway Construction District;*

8. *General oversight, subject to the authority of the Commonwealth Transportation Board and the Commonwealth Transportation Commissioner, of regional transportation operational issues of a multijurisdictional nature, including but not limited to intelligent transportation systems, signalization, and preparation for and response to emergencies;*

9. *Serving as an advocate for the transportation needs of Northern Virginia before the state and federal governments;*

10. *Applying to and negotiating with the government of the United States or any agency or instrumentality thereof for grants and any other funds available to carry out the purposes of this chapter and receiving, holding, accepting, and administering from any source gifts, bequests, grants, aid, or contributions of money, property, labor, or other things of value to be held, used and applied to carry out the purposes of this chapter subject, however, to any conditions upon which gifts, bequests, grants, aid, or contributions are made. Unless otherwise restricted by the terms of the gift, bequest, or grant, the Authority may sell, exchange, or otherwise dispose of such money, securities, or other property given or bequeathed to it in furtherance of its purposes; and*

11. *Acting as a "responsible public entity" for the purpose of the acquisition, construction, improvement, maintenance and/or operation of a "qualifying transportation facility" under the Public-Private Transportation Act of 1995 (§ 56-556 et seq.).*

2. That Chapter 610 of the Acts of Assembly of 2001 Virginia is repealed.

